

Anticipation under 35 U.S.C. 102(b) requires the presence in a single prior art disclosure of each and every element of a claimed invention, *Lewmar Marine, Inc. v. Barient, Inc.*, 827 F.2d 744, 747, 3 USPQ2d 1766, 1767 (Fed. Cir. 1987), cert. denied, 484 U.S. 1007 (1988).

Applicant has amended claim 2 to include a recitation that the knowledge web of the invention is formed "in at least a three-dimensional virtual space". Support for the amendment is to be found in the specification at page 44, lines 12-13, at page 6, lines 3 and 9, at page 12, line 8-9 from bottom, at page 14, line 5, and at page 21, line 2, where Applicant disclosed that "(t)he relationship between two nodes can be determined using the inter-nodal distance in multi-dimensional space", "a point within a three dimensional model of nested spherical surfaces", "the nested spherical surfaces may represent a set of co-temporal points in space-time dimensions", "(t)he K-Web may include or be included within a fully or partially immersive three-dimensional environment GUI", and, in the Examples, that "the web appeared as a three-dimensional globular stellar cluster".

Applicant respectfully notes that Hugh teaches away from a "thought network" in a virtual three-dimensional environment by disclosing that "(p)reserving the distinctions amongst types of thought relationships permits a data management structure which at once lends itself to easy, logical navigation-like hierarchial structures and yet enjoys the *dimensionless* and unlimited flexibility of a totally associative structure." (emphasis added; see Hugh, column 9, lines 59 through 64, in particular line 63).

Applicant therefore respectfully submits that Hugh does not anticipate claim 2 as amended.

Regarding claim 3, the Examiner stated that Hugh discloses the claimed features of a method of building a knowledge web, the method comprising: assembling a plurality of records wherein the records have a plurality of individual data; linking at least one first record with at

least one second record the records thereby having a relationship between the records through the link; selecting a mathematical model that defines the relationship; recognizing the relationship between the records; thereby building the knowledge web.

Anticipation under 35 U.S.C. 102(b) requires the presence in a single prior art disclosure of each and every element of a claimed invention, *Lewmar Marine, Inc. v. Barient, Inc.*, 827 F.2d 744, 747, 3 USPQ2d 1766, 1767 (Fed. Cir. 1987), cert. denied, 484 U.S. 1007 (1988).

Applicant has amended claim 3 to include a recitation that the selected mathematical model defines the relationship between the records "in multi-dimensional space". Support for the amendment can be found in the specification at page 44, line 10 from bottom, where Applicant disclosed that "(t)he relationship between two nodes can be determined using the inter-nodal distance in multi-dimensional space as a surrogate for the parameter of the relationship".

Claim 3 as amended recites a method that includes "selecting a mathematical model that defines the relationship in multi-dimensional space" between two records. Applicant disclosed when and how such a mathematical model can be used (see specification at page 8, lines 4-5 from bottom; at page 13, lines 1-2 from bottom; at page 14, line 1 and lines 6-14; and at page 44, Example III, last paragraph).

Applicant respectfully draws the Examiner's attention to US Patent No. 6,166,739 to Hugh at Figure 2 and at column 8, lines 12-21, where Hugh discloses a "relationship list" and how a "relationship list" is devised. Hugh does not disclose or suggest a mathematical model to create a list or to define relationships between nodes. Moreover, Hugh teaches away from using a mathematical model by stating "(t)he *underlying significance and semantics* of these or other categories of thought relationships is *entirely unique to the individual practitioner and user*" (emphasis added; see Hugh at column 9, lines 8-11, in particular line 9).

Applicant therefore respectfully submits that Hugh does not anticipate claim 3 as amended.

Applicant respectfully requests that the rejection of Claims 1 -- 3 under 35 USC 102(b) be withdrawn.

CONCLUSION

In light of the above amendments and remarks, Applicant submits that the present application is in a condition for allowance, and request that the Examiner withdraw the outstanding rejections.

If the Examiner contemplates other action, or if a telephone conference would expedite allowance of the claims, Applicant invites the Examiner to contact Applicant's Agent. Should anything further be required, a telephone call to the undersigned, at (510) 537-2040, is respectfully invited.

If the Commissioner finds any additional charges or fees must be paid in connection with this communication, they may be paid out of Bell & Associates Deposit Account No. 50-3194.

Respectfully submitted,



Dated: February 2nd, 2005

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Certificate of Faxing

I hereby certify under 37 CFR 1.8 that this correspondence is being transmitted by facsimile to the USPTO at (703) 872-9314 in accordance with 37 CFR 1.6(d)

On: 2nd February, 2005 By:  Printed: Matthew Kaser